

DLA Piper US LLP

APPLICANT OR PATENTEE:

SERIAL OR PATENT NO.:

SEE ATTACHED LIST

FILED OR ISSUED:

FOR:

Verified Statement (Declaration) Claiming Small Entity Status

(37 CFR §1.9(f) and §1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am:

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: CYTOKINE PHARMASCIENCES, INC.

ADDRESS OF CONCERN: 150 South Warner Road, Suite 420, King of Prussia, Pennsylvania 19406

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR §1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled:

BY INVENTOR(S)

SEE ATTACHED LIST

DESCRIBED IN

☐ THE SPECIFICATION FILED HERewith

☐ APPLICATION SERIAL NO.:

, FILED:

☐ PATENT NO.:

, ISSUED:

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR §1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR §1.9(d) or a nonprofit organization under 37 CFR §1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR §1.27)

NAME: PRESIDIO PHARMACEUTICALS, INC.

ADDRESS: ONE POST STREET, STE 875, SAN FRANCISCO, CALIFORNIA

☐ INDIVIDUAL

☒ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

NAME:

ADDRESS:

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

Dennis Willson

TITLE OF PERSON OTHER THAN OWNER:

President & CEO

ADDRESS OF PERSON SIGNING:

150 South Warner Road, Suite 420, King of Prussia, Pennsylvania 19406

SIGNATURE:



DATE:

11/1/06

ATTACHED LIST

U.S. Patents

Patent Number	Date of Patent	Date Filed/Published	Inventor
5,574,040	November 12, 1996	January 6, 1995	Bukrinsky, et al.
5,620,983	April 15, 1997	June 6, 1995	Bukrinsky, et al.
5,703,086	December 30, 1997	June 6, 1995	Bukrinsky, et al.
5,733,932	March 31, 1998	June 5, 1995	Bukrinsky, et al.
5,808,068	September 15, 1998	August 15, 1997	Bukrinsky, et al.
5,840,893	November 24, 1998	January 5, 1996	Bukrinsky, et al.
5,849,793	December 15, 1998	August 15, 1997	Bukrinsky, et al.
6,297,253	October 2, 2001	October 15, 1996	Bukrinsky, et al.
6,649,797	November 18, 2003	June 25, 2001	Bukrinsky, et al.
6,906,076	June 14, 2005	September 12, 2003	Bukrinsky, et al.

U.S. Patent Applications

Application/Publication No.	Date Filed/Published	Inventor
20050203150	March 9, 2004	Haffar, et al.
20060014760	June 13, 2005	Bukrinsky, et al.
11/419,867	May 23, 2006	Haffar, et al.
Provisional Draft DLA 9511-144	N/A	Sielecki
Provisional Draft DLA 9511-145	N/A	Sielecki

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NAME: CYTOKINE PHARMASCIENCES, INC.ADDRESS: 150 SOUTH WARNER ROAD, SUITE 420, KING OF PRUSSIA, PENNSYLVANIA 19406☐ INDIVIDUAL☒ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

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NAME OF PERSON SIGNING: OMAR K. HAFFAR Ph.D.TITLE OF PERSON OTHER THAN OWNER: PRESIDENT + CEOADDRESS OF PERSON SIGNING: ONE POST ST., SUITE 875 SAN FRANCISCO, CA 94131SIGNATURE: DATE: NOV 20, 2006

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